NORTH DAKOTA PUBLIC SERVICE COMMISSION

In the Matter of the Application of Dakota
Access LLC for a Certificate of Site
Compatibility and Route Permit for the Dakota
Access Pipeline Project in Mountrail,
Williams, McKenzie, Dunn, Mercer, Morton
and Emmons Counties, North Dakota

CERTIFICATE OF SERVICE

WHAY 1 5 2015

NORTH DAKOTA

I hereby certify that true and correct copies of the **PETITION TO INTERVENE OF NINA FILIBECK and AFFIDAVIT OF NINA FILIBECK** were on May 14, 2015, filed with the North Dakota Public Service Commission and mailed to the following:

Lawrence Bender Fredrickson & Byron, PA 1133 College Drive, Suite 1000 Bismarck, ND 58501

Dated this 14th day of May, 2015.

BAUMSTARK BRAATEN LAW PARTNERS Attorneys for Nina Filibeck 109 North 4th Street, Suite 100 Bismarck, ND 58501 Phone: 701-221-2911

Fax: 701-221-5842

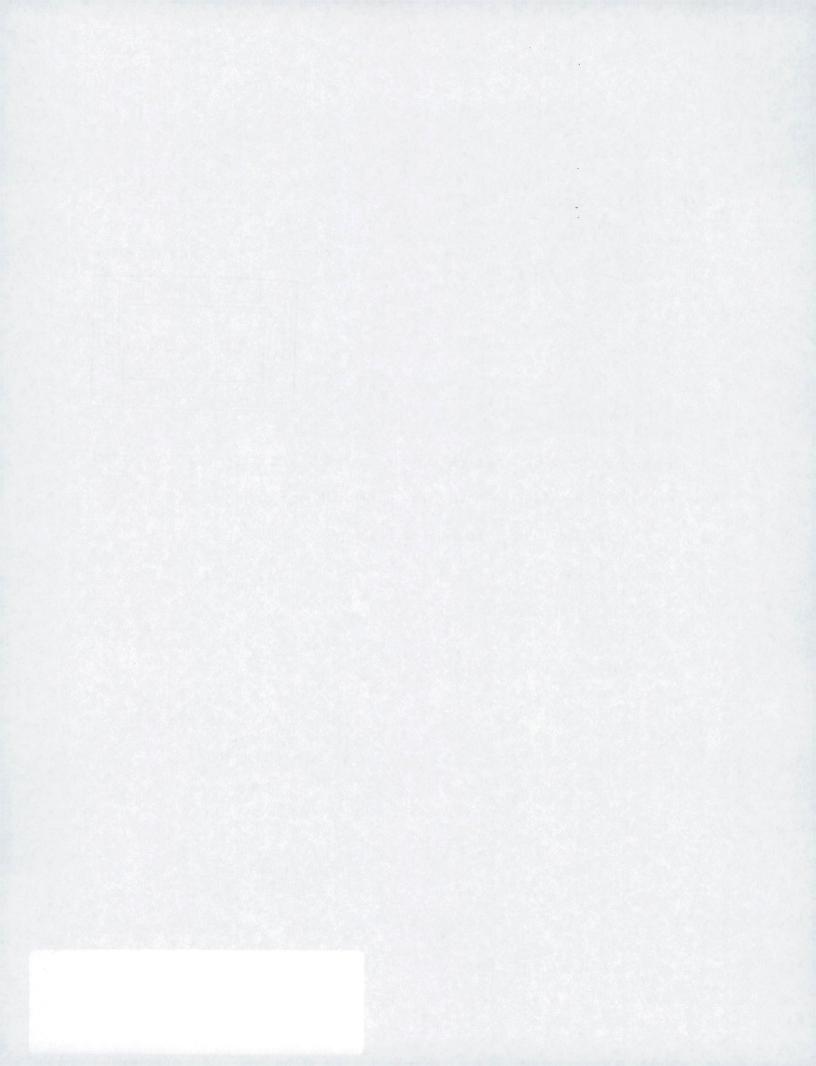
/s/ Derrick Braaten
By: Derrick Braaten

40 PU-14-842 Filed: 5/15/2015 Pages: 5 Petition to Intervene & Affidavit

PUBLIC SERVICE COMMISSION

Nina Filibeck

Derrick Braaten & Matt Kelly, Attorneys



NORTH DAKOTA PUBLIC SERVICE COMMISSION

In the Matter of the Application of Dakota Access LLC for a Certificate of Site Compatibility and Route Permit for the Dakota Access Pipeline Project in Mountrail, Williams, McKenzie, Dunn, Mercer, Morton and Emmons Counties, North Dakota))) (Case No. PU-I 4-842)) (PETITION TO INTERVENE OF NINA FILIBECK)))))
)

Pursuant to N.D.A.C. § 69-02-05, Nina Filibeck, by and through her attorneys Derrick Braaten and Matt Kelly (collectively, "Petitioners"), hereby petition to intervene in the above-captioned proceedings. In support of this petition, Petitioners state and allege as follows:

- Ms. Filibeck resides at 209 6th Street, New Salem, ND 58563. She received documents from Dakota Access, LLC and offers for an easement over her land for the Dakota Access Pipeline Project, and has also received repeated requests for survey permission on her property.
- 2. Ms. Filibeck's property will be crossed by the Dakota Access Pipeline Project, and she is concerned about impacts to her land. Ms. Filibeck has not yet been able to reach an agreement with Dakota Access regarding an easement on her property, and feels it is necessary to protect her interests by ensuring that she is represented in these proceedings.

property rights which may be substantially affected by the ND Public Service Commission's findings and conclusions in this matter. Petitioners are intimately familiar

3. Petitioners have a direct and substantial interest in these proceedings, as well as legal

with the land they own and rent, and can provide the PSC with specific information

related to its routing determination in this proceeding, with respect to their individual

lands.

4. Petitioners are not adequately represented by existing parties, and Petitioners'

intervention would not unduly broaden the issues or delay the proceedings, particularly

given the early nature of the proceedings.

5. Petitioners are not necessarily in support of or opposed to the relief sought by the

applicant in this proceeding, but intend to oppose such relief if it allows Dakota Access to

cross the lands they own and rent in a manner that will cause unnecessary or

unreasonable damage to the land and to their farming operations.

Dated this 14th day of May, 2015.

BAUMSTARK BRAATEN LAW PARTNERS

/s/ Derrick Braaten

Derrick Braaten (ND 06394) 109 North 4th St., Suite 100

Bismarck, ND 58501-4003

Tel. 701-221-2911

Fax 701-221-5842

derrick@baumstarkbraaten.com

TARLOW AND STONECIPHER, PLLC

/s/ Matt Kelly

Matt J. Kelly (TL-08000)

1705 West College Street

Bozeman, MT 59715-4913

Telephone: 406-586-9714

Fax: 406-586-9720

mkelly@lawmt.com

NORTH DAKOTA PUBLIC SERVICE COMMISSION

In the Matter of the Application of Dakota) Case No. PU-I 4-842
Access LLC for a Certificate of Site	
Compatibility and Route Permit for the Dakota	
Access Pipeline Project in Mountrail,) AFFIDAVIT OF NINA FILIBECK
Williams, McKenzie, Dunn, Mercer, Morton	
and Emmons Counties, North Dakota	
)
)
)
)

STATE OF NORTH DAKOTA	
)ss
COUNTY OF MORTON)

Nina Filibeck, individually, being duly sworn, states under oath as follows:

- 1. I live at 209 6th Street, New Salem, ND 58563.
- I have received documents from Dakota Access, LLC and offers for an easement over my land for the Dakota Access Pipeline Project, and have also received repeated requests for survey permission on my property.
- 3. My property will be crossed by the Dakota Access Pipeline Project, and I am concerned about impacts to my land. I have not yet been able to reach an agreement with Dakota Access regarding an easement on my property, and feel it is necessary to protect my interests by ensuring that they are represented in these proceedings.

Dated this ______ day of April, 2015.

<u>Jina</u> Zilikok Nina Filibeck

STATE OF NORTH DAKOTA

)ss.

COUNTY OF MORTON

On this 17th day of April, 2015, before me personally appeared Nina Filibeck, individually, and known to me to be the same person who is described in and who executed the within document, and acknowledged to me that she executed the same.

Sherry Doll Notary Public

SHERRY DOLL Notary Public State of North Dakota My Commission Expires Feb. 8, 2018